

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|--------------------------------|---|-----------|
| JAMES HAUPTMEIER, et al., |) | |
| |) | 8:08CV187 |
| Plaintiffs, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| BARTON SOLVENTS, INC., et al., |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on the parties' joint motion to stay the deadline for filing a motion for summary judgment based upon the bulk supplier and sophisticated user doctrines pending the resolution of such a motion in a similar case before the court (Filing No. 97). Upon consideration,

IT IS ORDERED:

1. The parties' joint motion to stay the deadline for filing of a motion for summary judgment based upon the bulk supplier and sophisticated user doctrines (Filing No. 97) is granted as set forth below.

2. The deadline to file any motion for summary judgment based on the bulk supplier and/or sophisticated doctrines is stayed pending the court's decision on the defendants' motion for summary judgment based on the bulk supplier and sophisticated user doctrines in ***Vondra et al. v. Chevron U.S.A., et al.***, 8:07CV85 - Filing No. 206.

3. A telephone conference with the undersigned magistrate judge will be held for the purpose of reviewing the preparation of this case to date and scheduling this case to trial **within ten (10) working days** of the court's resolution of the defendants' motion for summary judgment based on the bulk supplier and sophisticated user doctrines in ***Vondra et al. v. Chevron U.S.A., et al.***, 8:07CV85 - Filing No. 206. **Plaintiffs' counsel shall** schedule and initiate the telephone conference.

DATED this 6th day of March, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge